is forbidden for transportation on board a passenger-carrying aircraft.

(2) A chemical oxygen generator is forbidden for transportation by both passenger-carrying and cargo-only aircraft after:

(i) The manufacturer's expiration date; or

(ii) The contents of the generator have been expended.

EFFECTIVE DATE NOTES: 1. At 72 FR 4455, Jan. 1, 2007, §173.168 was added, effective Oct. 1, 2007.

2. At 72 FR 55092, Sept. 28, 2007, the effectiveness of the amendment at 72 FR 4455, Jan. 31, 2007 was delayed until Oct. 1, 2008.

3. At 72 FR , 2007, §173.168 was amended by revising paragraphs (d) introductory text, (d)(1), (d)(2) introductory text and (d)(2)(i), effective Oct. 1, 2008. For the convenience of the user, the added and revised text is set forth as follows:

§ 173.168 Chemical oxygen generators.

* * * * *

(d) *Packaging.* A chemical oxygen generator and a chemical oxygen generator installed in equipment, (e.g., a PBE) must be placed in a rigid outer packaging that—

(1) Conforms to the requirements of either:

(i) Part 178, subparts L and M, of this subchapter at the Packing Group I or II performance level; or

(ii) The performance criteria in Air Transport Association (ATA) Specification No. 300 for a Category I Shipping Container.

(2) After September 30, 2009, with its contents, is capable of meeting the following additional requirements when transported by cargo-only aircraft:

(i) The Flame Penetration Resistance Test in Appendix E to part 178 of this subchapter;

* * * * *

§ 173.170 Black powder for small arms.

Black powder for small arms that has been classed in Division 1.1 may be reclassed as a Division 4.1 material, for domestic transportation by motor vehicle, rail freight, and cargo vessel only, subject to the following conditions:

(a) The powder must be examined and approved for Division 1.1 and Division 4.1 classification in accordance with §§173.56 and 173.58;

(b) The total quantity of black powder in one motor vehicle, rail car, or freight container may not exceed 45.4 kg (100 pounds) net mass, and no more than four freight containers may be on board one cargo vessel;

(c) The black powder must be packed in inner metal or heavy wall conductive plastic receptacles not over 454 g (16 ounces) net capacity each, with no more than 25 cans in one outer UN 4G fiberboard box. The inner packagings must be arranged and protected so as to prevent simultaneous ignition of the contents. The complete package must be of the same type which has been examined as required in §173.56;

(d) Each completed package must be marked ''BLACK POWDER FOR SMALL ARMS'' and ''NA 0027''; and

(e) Each package must bear the FLAMMABLE SOLID label.

[Amdt. 173–255, 61 FR 50626, Sept. 26, 1996, as amended at Amdt. 173–255, 62 FR 14338, Mar. 26, 1997]

§ 173.171 Smokeless powder for small arms.

Smokeless powder for small arms which has been classed in Division 1.3 may be reclassed in Division 4.1, for transportation by motor vehicle, rail car, vessel, or cargo-only aircraft, subject to the following conditions:

(a) The powder must be examined and approved for a Division 1.3 and Division 4.1 classification in accordance with §§173.56 and 173.58 of this part.

(b) The total quantity of smokeless powder may not exceed 45.4 kg (100 pounds) net mass in:

(1) One rail car, motor vehicle, or cargo-only aircraft; or

(2) One freight container on a vessel, not to exceed four freight containers per vessel.

(c) Only combination packagings with inner packagings not exceeding 3.6 kg (8 pounds) net mass are authorized. Inner packagings must be arranged and protected so as to prevent simultaneous ignition of the contents. The complete package must be of the same type which has been examined as required in §173.56 of this part.

(d) Inside packages that have been examined and approved by the Associate Administrator may be packaged in UN 4G fiberboard boxes meeting the Packing Group I performance level, provided all inside containers are packed to prevent shifting and the net